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September 12, 2008

BY ECF, FACSIMILE AND MAIL

Hon. Richard J. Sullivan
United States District Court
Southern District of New York
United States Courthouse
500 Pearl Street
New York, New York 10007

**Re: United States v. Nancy Diaz
07 CR 692-05 (RJS)**

Dear Judge Sullivan:

The addendum to Nancy Diaz's pre-sentence report makes a glaringly erroneous and inflammatory assertion when it states that Ms. Diaz "recruited prospective U.S. citizens at homeless shelters and drug-treatment centers throughout New York City" in relation to this offense. Ms. Diaz has never done such a thing. Her role in this offense was that of an office worker who prepared paper work and took photographs. She was not responsible for "recruiting" any participant to the sham marriages and is unaware that such individuals were recruited by others. This allegation strikes especially deep within Ms. Diaz. She is devoted to her work as a drug counselor and has made that work a part of her spiritual being. It is inconceivable and totally inaccurate to attribute such activity to Ms. Diaz.

I have enclosed two additional letters addressed to Your Honor on behalf of Ms. Diaz. Significantly, they come from the Managing Director of Day Top and from a co-counselor at Day Top. (Exhibits "L" and "M"). William Giuliano, the Managing Director, describes Ms. Diaz as a "role model", a "valuable" and "trusted" colleague who goes "the extra mile". Jerome Fields, her co-worker and fellow counselor similarly lauds the attributes of this "truly caring person". That is the true measure of Ms. Diaz with regard to her dedication to her work and the respect she has for those seeking to turn their lives around, as she has, and the people who have devoted their lives to

helping them. She would never violate the trust given to her by indulging in the activity asserted by the probation officer. The assertion is wrong and it should be stricken.

Respectfully submitted,


Richard H. Rosenberg
RR0846

To: AUSA Jenna Dabbs
Nicole I. Guite, U.S. Probation

EXHIBIT L



316 Beach 65th Street • Far Rockaway, N.Y. 11692 • Tel. (718) 474-3800

Msgr. William B. O'Brien
President, Daytop Village, Inc.

Brian Madden
Executive Vice President

Joseph H. Hennen
Sr. Vice President, Treatment Services

Patricia A. Zingale
Sr. Vice-President, Supportive Programs

Steven Winston, Esquire
Sr. Vice-President, Legal Affairs

Gregory C. Bunt, MD
Sr. Vice President, Health Services

Thomas McCulloch
Sr. Vice President/CFO

Residential Facilities
Entry Unit & Re-Entry
316 Beach 65th Street
Far Rockaway, NY 11692

P.O. Box 340
Swan Lake, NY 12783

P.O. Box 368
Parksville, NY 12768

P.O. Box 633
Rhinebeck, NY 12572

Adolescent Facilities
P.O. Box 807
Millbrook, NY 12545

P.O. Box 631
Fox Run, Rhinebeck, NY 12572

Adolescent Diagnostic Unit
220 Fox Hollow Road
Rhinebeck, NY 12572

Outreach Centers
620 Route 303
Blauvelt, NY 10913

16 Westchester Square
Bronx, NY 10461

2614-16 Halperin Avenue
Bronx, NY 10461

401 State Street
Brooklyn, NY 11217

248 Central Park Avenue
Hartsdale, NY 10530

166-10 91st Avenue
Jamaica, NY 11432

91-01 Merrick Boulevard
Jamaica, NY 11432

1915 Forest Avenue
Staten Island, NY 10303

2075 New York Avenue
Huntington Station, NY 11746

Assessment & Referrals
500 Eighth Avenue
New York, NY 10018

Special Programs

Family Association
54 West 40th Street
New York, NY 10018

Residential Women's Program
Springwood Facility
44 Springwood Drive
Rhinebeck, NY 12572

Adult Outpatient Services
500 Eighth Avenue
New York, NY 10018

Employee Counselling Services
401 State Street
Brooklyn, NY 11217

Elderly Services (C.A.R.E.S.)
401 State Street
Brooklyn, NY 11217

A non-governmental organization in
consultative status with the
Economic and Social Council
of the United Nations.

September 11, 2008

Re: Ms. Nancy Diaz

Honorable Justice Sullivan

U.S. District Court

500 Pearl Street

New York, New York

Your Honor:

I am writing this letter of recommendation on behalf of Ms. Nancy Diaz. Ms. Diaz has been employed at Daytop Village, Inc. from September 17, 2007 to the present. Since she was hired, Ms. Diaz has proven to be a valuable employee and a trusted colleague.

Ms. Diaz is committed to helping her clients overcome their difficulties and refrain from substance abuse to become drug free. Ms. Diaz is always willing to help and in many instances goes the extra mile.

Ms. Diaz has a professional working relationship with her co-workers and carries herself as a role model around our organization. We are honored to have someone of her caliber in our employ.

Respectfully,

William Giuliano, Managing Director
LMSW, CASAC

WG/lc

EXHIBIT M

September 11, 2008

Honorable Justice Sullivan
U.S. District Court
50 Park Street
New York, N.Y.

Honorable Justice Sullivan :

This letter is being written on behalf of Nancy Diaz. Ms. Diaz has been a co-worker now for over seven months and has become a good colleague and friend the reason for this is because I have found her to be one of my most trustworthy co-workers as well as one of the most responsible person's Have had the honor to meet in the professional sector.

Ms. Diaz and myself are working in the field of providing people with services and this is a very trying field as your honor is aware of. Ms. Diaz has not only learned to provide the expected services for her clients she also gives of her personal time to help not only her clients but also her colleagues clients to learn how to live a better life. She takes them to outside functions so they can learn to conduct themselves in public in a more responsible manner.

As far as a co-worker she has been a totally positive role model for me, as far when I first arrived she made sure that I was schooled in every aspect of my duties by pointing out the proper procedures and the do's and don'ts of this particular agency in which we are employed. Ms Diaz has shown herself to be a truly caring person who will help any and all when they are in need and that attribute is what sometimes gets her into trouble.

Sincerely,

Jerome Fields

Jerome Fields
Clinical Counselor